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09/548,235	04/12/2000	Thomas Mark Levergood	3057.0020002	6069

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EXAMINER

WINDER, PATRICE L

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Interview Summary

The examiner acknowledges applicant's summary of the March 17, 2011 interview. The examiner can't find her notes and therefore hadn't been able to generate an interview summary. The examiner apologizes.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 13-14, 17-22, 35-39, 64, 67-80 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferguson et al., USPN 5,819,092 (hereafter referred to as Ferguson) in view of James E. Pitkow, Integrating Bottom-Up and Top-Down Analysis For Intelligent Hypertext (hereafter referred to as Pitkow).

Regarding claims 1, 64, Ferguson taught a computer-implemented method (system) (column 18, lines 30-39), comprising:

producing, by a computing device, an access history profile by filtering one or more transaction logs originating from one or more server to select transactions that

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identifies a series of related request made by a client to the one or more servers (column 35, lines 46-55);

determining link traversals from an advertising page to a product page (column 28, lines 58-59, 64-65) by evaluating the access history profile (column 37, lines 44-52); and

determining accesses to product page resulting from the link traversals to the product page; and (column 31, lines 22-25);

determining an amount to charge a merchant for advertising based said determined accesses to the product page (column 31, lines 8-12); a particular link traversal to the product page, or on the number of sales resulting from a path advertising page (column 22, lines 25-38; column 31, lines 8-12). Ferguson does not specifically teach transactions associated with a session identifier. However, Pitkow taught transactions associated with a session identifier that identifies a series of related request made by a client to the one or more servers ("Results" section, pages 2-3). It would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Pitkow's associated with a session identifier in Ferguson's access history's would have improved transaction analysis. The motivation would have been to provide more detailed information per user.

Regarding dependent claim 13, Ferguson taught recording the link traversals in a transaction log (column 37, line 61-65).

Regarding dependent claim 14, Ferguson taught the one or more transaction logs are stored on a server (column 37, lines 53-60).

Regarding dependent claim 17, Ferguson taught monitoring the frequency and duration of access to the page (column 36, lines 63-67; column 37, lines 23-27).

Regarding dependent claim 18, Ferguson taught recording the frequency and duration of access to the page in a transaction log stored on a server (column 37, lines 61-67).

Regarding dependent claim 19, Ferguson taught counting accesses to the page exclusive of repeated requests from a common client (column 37, lines 66-67).

Regarding dependent claim 20, Ferguson taught wherein the counting is performed by the server (column 37, lines 53-60).

Regarding dependent claim 21, Ferguson taught counting the frequency of accesses to the page (column 37, lines 65-67); measuring the time intervals between repeated accesses from a common client (column 37, lines 16-22, 67); and excluding the counting of those accesses that fall within a defined period of time (column 38, lines 3-4).

Regarding dependent claim 22, Ferguson taught the counting is performed by the server (column 37, lines 53-60).

Regarding dependent claim 35, Ferguson taught recording the frequency and duration of access to the page by keeping a history of each client access to the page in a transaction log (column 36, lines 63-67; column 37, lines 23-27);

producing an access history from the transaction log (column 37, lines 44-52);

wherein the access history is produced from filtering transaction logs from one or more servers to select only transaction involving a particular user ID (column 35, lines 49-52; column 36, lines 63-67);

producing marketing feedback based on the access history (column 34, lines 10-16; column 37, lines 6-14).

Regarding dependent claim 36, Ferguson taught the marketing feedback is selected from the group consisting of: user demand, access pattern, and relationships between customer demographics and accessed pages and access patterns (column 37, lines 6-14).

Regarding dependent claim 37, Ferguson taught evaluating the transaction log to identify the most popular links to the page (column 38, lines 1-4).

Regarding dependent claim 38, Ferguson taught inserting a new link to provide more direct access to the page (column 18, lines 40-49; column 38, lines 5-10).

Regarding dependent claim 39, Ferguson taught the new link is inserted in a location based upon information contained in the transaction log (column 38, lines 5-10).

Regarding claims 67, Ferguson taught a computer-implemented method (column 18, lines 30-39), comprising:

determining, by a computing device, link traversals from an advertising page to a product page (column 28, lines 58-59, 64-65) by evaluating the access history profile including information that identifies a series of related request made by a client to the one or more server and exchanged between the client and one or more server, wherein

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the transaction logs originate from the one or more servers (column 37, lines 44-52);
and

determining accesses to product page resulting from the link traversals to the product page; and (column 31, lines 22-25);

determining an amount to charge for a merchant for advertising based said determined accesses to the product page (column 31, lines 8-12); a particular link traversal to the product page, or on the number of sales resulting from a path advertising page (column 22, lines 25-38; column 31, lines 8-12). Ferguson taught a user identifier associated with transactions and exchanged between a client and server (column 35, lines 46-55). Ferguson does not specifically teach session identifier information. However, Pitkow taught session identifier information ("Results" section, pages 2-3). It would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Pitkow's session identifier information in Ferguson's access history's would have improved transaction analysis. The motivation would have been to provide more detailed information per user.

Regarding dependent claim 68, Ferguson taught recording the link traversals in a one or more transaction logs (column 37, line 61-65).

Regarding dependent claim 69, Ferguson taught the one or more transaction logs are stored on a server (column 37, lines 53-60).

Regarding dependent claim 70, Ferguson taught monitoring the frequency and duration of access to the product page (column 36, lines 63-67; column 37, lines 23-27).

Regarding dependent claim 71, Ferguson taught recording the frequency and duration of access to the product page in a transaction log stored on a server (column 37, lines 61-67).

Regarding dependent claim 72, Ferguson taught counting accesses to the product page exclusive of repeated requests from a common client (column 37, lines 66-67).

Regarding dependent claim 73, Ferguson taught wherein the counting is performed by the server (column 37, lines 53-60).

Regarding dependent claim 74, Ferguson taught counting the frequency of accesses to the page (column 37, lines 65-67);

measuring the time intervals between repeated accesses from a common client (column 37, lines 16-22, 67); and

excluding the counting of those accesses that fall within a defined period of time (column 38, lines 3-4).

Regarding dependent claim 75, Ferguson taught wherein the counting is performed by the server (column 37, lines 53-60).

Regarding dependent claim 76, Ferguson taught recording the frequency and duration of access to the page by keeping a history of each client access to the page in a transaction log (column 36, lines 63-67; column 37, lines 23-27);

producing an access history from the transaction log (column 37, lines 44-52);

wherein the access history is produced from filtering transaction logs from one or more servers to select only transaction involving a particular user ID (column 35, lines 49-52; column 36, lines 63-67);

providing marketing feedback based on the access history (column 34, lines 10-16; column 37, lines 6-14).

Regarding dependent claim 77, Ferguson taught the marketing feedback is selected from the group consisting of: user demand, access pattern, and relationships between customer demographics and accessed pages and access patterns (column 37, lines 6-14).

Regarding dependent claim 78, Ferguson taught evaluating the transaction log to identify the most popular links to the product page (column 38, lines 1-4).

Regarding dependent claim 79, Ferguson taught inserting a new link to provide more direct access to the page (column 18, lines 40-49; column 38, lines 5-10).

Regarding dependent claim 80, Ferguson taught the new link is inserted in a location upon information contained in the transaction log (column 38, lines 5-10).

Response to Arguments

Applicant's arguments with respect to claims 1, 13-14, 17-22, 35-39, 64, 67-80 have been considered but are moot because the arguments do not apply to any of the references being used in the current rejection.

As per applicant's specification the meaning of "session identifier" is exemplary not definitive. Therefore, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "session identifier") are not recited in the rejected claim(s).

Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant is allowed to be his own lexicographer, however, applicant was not the first inventor to "coin the phrase" "session identifier". Please see the US Patents provided in the attached PTO-892.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PATRICE WINDER whose telephone number is (571)272-3935. The examiner can normally be reached on Monday-Friday, 12:00 pm - 8:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thu V. Nguyen can be reached on 571-272-6967. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Patrice L Winder/

Primary Examiner, Art Unit 2452

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